

SENATE BILL 215

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4lr0957
CF 4lr0846

By: **Senator Klausmeier**

Introduced and read first time: January 16, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Payment for Physician–Dispensed Prescriptions –**
3 **Limitations**

4 FOR the purpose of prohibiting employers or their insurers, except under certain
5 circumstances, from being required to pay for a prescription that is dispensed by
6 a physician to certain covered employees; and generally relating to payment for
7 prescriptions dispensed by physicians to covered employees.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 9–660
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2013 Supplement)

13 BY adding to
14 Article – Labor and Employment
15 Section 9–660.1
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2013 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Labor and Employment**

21 9–660.

22 (a) In addition to the compensation provided under this subtitle **AND**
23 **EXCEPT AS PROVIDED IN § 9–660.1 OF THIS SUBTITLE**, if a covered employee has
24 suffered an accidental personal injury, compensable hernia, or occupational disease

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the employer or its insurer promptly shall provide to the covered employee, as the
2 Commission may require:

- 3 (1) medical, surgical, or other attendance or treatment;
- 4 (2) hospital and nursing services;
- 5 (3) medicine;
- 6 (4) crutches and other apparatus; and
- 7 (5) artificial arms, feet, hands, and legs and other prosthetic
8 appliances.

9 (b) The employer or its insurer shall provide the medical services and
10 treatment required under subsection (a) of this section for the period required by the
11 nature of the accidental personal injury, compensable hernia, or occupational disease.

12 (c) Except as provided in § 9-736(b) and (c) of this title, any award or order
13 of the Commission under this section may not be construed to:

- 14 (1) reopen any case; or
- 15 (2) allow any previous award to be changed.

16 **9-660.1.**

17 **AN EMPLOYER OR ITS INSURER MAY NOT BE REQUIRED TO PAY FOR A**
18 **PRESCRIPTION THAT IS DISPENSED BY A PHYSICIAN TO A COVERED EMPLOYEE**
19 **WHO HAS SUFFERED AN ACCIDENTAL PERSONAL INJURY, COMPENSABLE**
20 **HERNIA, OR OCCUPATIONAL DISEASE UNLESS THE PRESCRIPTION WAS:**

21 **(1) DISPENSED WITHIN 30 DAYS AFTER THE COVERED**
22 **EMPLOYEE'S INITIAL APPOINTMENT WITH THE PHYSICIAN OR ANY OTHER**
23 **PHYSICIAN IN THE PHYSICIAN'S PRACTICE FOR A CONSULTATION, AN**
24 **EVALUATION, OR AN OFFICE VISIT RELATING TO THE ACCIDENTAL PERSONAL**
25 **INJURY, COMPENSABLE HERNIA, OR OCCUPATIONAL DISEASE; AND**

26 **(2) LIMITED TO NO MORE THAN A 30-DAY SUPPLY OF THE**
27 **MEDICATION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2014.